

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
	)	
W. R. GRACE & CO., <u>et al.</u> , <sup>1</sup>	)	Case No. 01-01139 (JKF)
	)	
Debtors.	)	Jointly Administered

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON APRIL 22, 2002 AT 10:00 A.M.  
(HEARING TO BE HELD IN PITTSBURGH, PENNSYLVANIA)**

**CONTINUED MATTERS**

1. *Complaint for Declaratory Judgment and Turnover of Non-Estate Property by MCNIC Pipeline & Processing Company against W.R. Grace & Co.-Conn. (Docket No. 1003)*

**Related Documents:** None

**Response Deadline:** December 13, 2001 (extended for the Debtors to May 3, 2002)

**Responses Received:** None as of the date of this Agenda Notice

**Status:** This matter is continued to May 20, 2002 omnibus hearing.

2. *Motion of Caterpillar Financial Corporation to Compel Debtors to Comply with 11 U.S.C. §365(d)(10) and for Allowance and Payment of Administrative Expenses, or, in the Alternative, for Adequate Protection (Docket No. 1015)*

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<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-I Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

**Related Documents:**

- a. [Proposed] Order Compelling Debtors to Comply with 11 U.S.C. § 365(d)(10) and for Allowance and Payment of Administrative Expenses, or, in the Alternative, for Adequate Protection (Docket No. 1015)

**Response Deadline:** October 29, 2001 at 4:00 p.m. (extended for the Debtors and Creditors' Committee to May 3, 2002)

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** This matter is continued to May 20, 2002 omnibus hearing.

**UNCONTESTED MATTERS**

- 3. *Motion of GE Capital Corporation to Compel Assumption or Rejection of Unexpired Leases and for Post-Petition Lease Payments (Docket No. 1538)*

**Related Documents:**

- a. [Proposed] Order re: Docket No. 1538 (Docket No. 1538)

**Response Deadline:** February 21, 2002 at 4:00 p.m. (extended for the Debtors to April 12, 2002)

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** The parties have reached an agreement resolving the matter and will be filing a stipulation with the Court seeking approval of such resolution.

- 4. *Motion of the Official Committee of Asbestos Personal Injury Claimants to Correct the Court's Order Transferring Certain Asbestos Personal Injury Claim Matters to the Honorable Alfred M. Wolin, D. N.J. (Docket No. 1902)*

**Related Documents:**

- a. [Proposed] Order re: Docket No. 1902 (Docket No. 1902)
- b. Motion to Shorten Notice (Docket No. 1903).

**Response Deadline:** April 15, 2002

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** This matter will go forward.

**CONTESTED MATTERS**

5. *Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order (Adv. Pro. No. 02-01657, Docket No. 4)*

**Related Documents:**

- a. [Proposed] Order Granting Temporary Restraining Order (Adv. Pro. No. 02-01657, Docket No. 4)
- b. Memorandum of Law in Support of Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order (Adv. Pro. No. 02-01657, Docket No. 4)
- c. Verified Complaint for Declaratory Judgment and Injunctive Relief (W. R. Grace & Co. – Conn. against National Union Fire Insurance Company of Pittsburgh, PA) (Adv. Pro. No. 02-01657, Docket No. 1)
  - (i) Summons and Notice (Adv. Pro. No. 02-01657, Docket No. 2)
  - (ii) Affidavit of Jay Hughes (Adv. Pro. No. 02-01657, Docket No. 3)
- d. Request for Direction from Bankruptcy Court by National Union Fire Insurance Company of Pittsburgh, PA (Docket No. 1511)
- e. Third Party and Joinder Complaint for Declaratory Judgment and Injunctive Relief (National Union Fire Insurance Company of Pittsburgh, PA against Environmental Litigation Group, P.C. and Reaud, Morgan & Quinn, Inc.)(Adv. Pro. No. 02-01657, Docket No. 7)

**Responses Received:**

- a. National Union Fire Insurance Company of Pittsburgh, PA's Answer, Counterclaims and Amended Third-Party and Joinder Complaint for Declaratory Judgment and Injunctive Relief (Adv. Pro. No. 02-01657, Docket No. 8)
  - (i) National Union Fire Insurance Company of Pittsburgh, PA's Memorandum of Law in Opposition to Plaintiff W. R. Grace & Co. – Conn's Motion for Preliminary Injunction and Temporary Restraining Order (Adv. Pro. No. 02-01657, Docket No. 9)
- b. Reud, Morgan & Quinn, Inc. and Environmental Litigation Group, P.C.'s Answer to Third Party Complaint and Original Counterclaims (Adv. Pro. No. 02-01657, Docket No. 12); Exhibits thereto (Adv. Pro. No. 02-01657, Docket Nos. 11 and 13)
- c. Plaintiff's Reply in Support of Motion for Preliminary Injunction and Temporary Restraining Order (Adv. Pro. No. 02-01657, Docket No. 15)

- d. Plaintiff's Answer to Defendant's Counterclaims (Adv. Pro. No. 02-01657, Docket No. 14)
- e. National Union Fire Insurance Company of Pittsburgh, PA's Reply to Third Party Counterclaim of Reaud, Morgan & Quinn, Inc. and Environmental Litigation Group, P.C. (Adv. Pro. No. 02-01657, Docket No. 16)

**Status:** This matter will go forward.

- 6. *Complaint by Class Action Plaintiffs Medical Monitoring, for Injunction and Equitable Relief by Andy Dorrington, Susan B Grenfell, Gayla R Cody, Marvin Sather, Mark Macintosh, Chris Ladera against W. R. Grace & Co., W. R. Grace & Co.-Conn, W. R. Grace & Co. a/k/a Grace, Sealed Air Corporation (Adv. Pro. No. 01-08839, Docket No. 1)*

**Related Documents:**

- a. Motion by Medical Monitoring Plaintiffs for Class Certification (Adv. Pro. No. 01-08839, Docket No. 2)
  - (i) Memorandum of Law in Support of Medical Monitoring Plaintiffs' Motion for Class Certification (Adv. Pro. No. 01-08839, Docket No. 2)

**Response Deadline:** March 4, 2002

**Responses Received:**

- a. Motion of the Debtors for an Order Dismissing the Class Action Adversary Complaint for Medical Monitoring Injunction and Equitable Relief with Prejudice (Adv. Pro. No. 01-08839, Docket No. 4)
  - (i) [Proposed] Order Dismissing the Class Action Adversary Complaint with Prejudice (Adv. Pro. No. 01-8839, Docket No 4)
  - (ii) Memorandum in Support of Debtors' Motion to Dismiss Class Action Adversary Complaint for Medical Monitoring Injunction and Equitable Relief (Adv. Pro. No. 01-08839, Docket No. 5).

**Status:** Plaintiffs' counsel indicated at the March 18, 2002 hearing that the Plaintiffs would voluntarily withdraw these matters without prejudice.

- 7. *Complaint by Jackie Lewis, Bonnie Lewis, Thomas Lewis, Pamela Tellesch, Wayne Tellesch, Bridget Loehner, Dennis Loehner, Jane Zajac against W. R. Grace & Co., W. R. Grace & Co.-Conn., W. R. Grace & Co. a/k/a Grace, Sealed Air Corporation, National Medical Care, Inc., Fresenius A.G., Fresenius U.S.A. Inc., Fresenius National Medical Care, Inc. a/k/a Fresenius Medical Care Holdings, Inc. (Adv. Pro. No. 01-08810, Docket No. 1)*

**Related Documents:**

- a. Motion for Class Certification by Zonolite Attic Insulation Claimants (Adv. Pro. No. 01-8810, Docket No 2)
  - (i) Memorandum of Law in Support of Zonolite Plaintiffs' Motion for Class Certification (Adv. Pro. No. 01-8810, Docket No 2)

**Response Deadline:** December 17, 2001

**Responses Received:**

- a. Motion of the Debtors for an Order Dismissing the Class Action Adversary Complaint with Prejudice (Adv. Pro. No. 01-8810, Docket No 3)
  - (i). [Proposed] Order Dismissing the Class Action Adversary Complaint with Prejudice (Adv. Pro. No. 01-8810, Docket No 4)
  - (ii) Memorandum in Support of Debtors' Motion to Dismiss Class Action Adversary Complaint (Adv. Pro. No. 01-8810, Docket No 5)

**Status:** Plaintiffs' counsel indicated at the March 18, 2002 hearing that the Plaintiffs would voluntarily withdraw these matters without prejudice.

- 8. *Motion to Annul the Automatic Stay [filed by Edythe Kellogg] (Docket No. 1651)*

**Related Documents:**

- a. [Proposed] Order re: Motion to Annul the Automatic Stay

**Response Deadline:** March 11, 2002 at 4:00 p.m.

**Responses Received:**

- a. Debtors' Opposition to Edythe Kelloggs' Motion to Annul the Automatic Stay (Docket No. 1785)
- b. Debtors' Supplemental Filing in Opposition to Edythe Kellogg's Motion to Annul the Automatic Stay (Docket No. 1924)
- c. Supplemental Filing of Edythe Kellogg in Response to Debtors' Supplemental Filing in Opposition to Her Motion to Annul the Automatic Stay (Docket No. 1928)

**Status:** This matter will go forward.

9. *Debtors' Revised Motion as to All Non-Asbestos Claims, Asbestos Property Damage and ZAI Claims for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and of the Notice Program (Docket No. 1665)*

**Related Documents:**

- a. [Proposed] Order as to All Non-Asbestos Claims, Asbestos Property Damage Claims and Zonolite Attic Insulation Claims: (i) Approving Case Management Schedule, (ii) Establishing Bar Date; (iii) Approving Proof of Claim Forms, and (iv) Approving Notice Program (Docket No. 1665)
- b. Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 586)
- c. [Proposed] Order (i) Approving Case Management Schedule (ii) Establishing Bar Date (iii) Approving the Proof of Claim Forms and (iv) Approving Notice Program (Docket No. 586)
- d. Memorandum in Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 587)
- e. Exhibits to Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program and Memorandum in Support of Debtors' Motion (Docket No. 595)
- f. Debtors' Brief Regarding Bar Date and Class Notice (Docket No. 1677)
- g. Zonolite Claimants' Informational Brief Re: Class Proofs of Claim (Docket No. 1690)
  - (i) Supplemental Response to New Material in Zonolite Claimants' Class Proof of Claim Brief (Docket No. 1712)
- h. Supplemental Exhibit to Docket No. 1664 (Revised Medical Monitoring Proof of Claim Form and Instructions) (Docket No. 1713)
- i. [Signed] Scheduling Order Regarding Debtors' Revised Motion as to all Non-Asbestos Claims, Asbestos Property Damage and ZAI Claims for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and of the Notice Program (Docket No. 1744)

**Response Deadline:** July 13, 2001 at 4:00 p.m.

**Responses Received:**

- a. United States' Response to Debtors' Motion for Entry of Case Management Order, Motion to Establish Bar Date, Motion to Approve Claim Forms, and Motion to Approve Notice Program (Docket No. 671)
- b. Medical Monitoring Claimants' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Program (Docket No. 536); Joinder in the Motions for Continuance and Motion for Continuance; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 672)
- c. Zonolite Plaintiffs' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions; Joinder in Motion for Continuance by Official Committee of Asbestos Property Damage Claimants; Independent Motion to Continue the Hearing on Debtors' Motion; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 674)
- d. Response and Memorandum of the Official Committee of Asbestos Property Damage Claimants in Opposition to Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program (Docket No. 900)
- e. Response to Motion Opposition of the Official Committee of Asbestos Personal Injury Claimants to Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 902)
- f. Response to Motion For Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, Filed by Official Committee of Unsecured Creditors (Docket No. 904)
- g. Response to Motion In Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Programs Filed by Official Committee of Equity Holders (Docket No. 1033)
- h. Debtors' Consolidated Reply in Support of Their Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Claim Forms and Approval of the Notice Program (Docket No. 1106)
  - (i) Debtors' Motion for Leave to File Omnibus Reply to Various Objections to the Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program (Docket No. 1106)
  - (ii) Order Granting Debtors' Motion for Leave to File Omnibus Reply to Various Objections to the Debtors' Motion for Entry of Case Management

Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program (Docket No. 1504)

- i. Response of Official Committee of Equity Security Holders in Support of Debtors' Revised Motion as to All Non-Asbestos Claims, Asbestos Property Damage and ZAI Claims for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and the Notice Program (Docket No. 1707)

**Responses to Proof of Claim Forms:** (Due by March 8, 2002)

- a. Statement of the Official Committee of Unsecured Creditors to the Debtors' Revised Motion as to all Non-Asbestos Claims and Certain Other Claims for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim and Notice Program (Docket No. 1777)
- b. United States' Objections to Debtors' Revised Motion as to All Asbestos Personal Injury Claims for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and of the Notice Program (Docket No. 1779)
- c. Response and Objection of the Official Committee of Asbestos Property Damage Claimants to the Proposed Asbestos Property Damage Proof of Claim Form Filed in Support of the Debtor's Revised Motion as to All Non-Asbestos Claims, Asbestos Property Damage and ZAI Claims for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and of the Notice Program (Docket No. 1780)
  - (i) Exhibits to Response and Objection of the Official Committee of Asbestos Property Damage Claimants to the Proposed Asbestos Property Damage Proof of Claim Form Filed in Support of the Debtor's Revised Motion as to All Non-Asbestos Claims, Asbestos Property Damage and ZAI Claims for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and of the Notice Program (Docket No. 1782)
  - (ii) Supplemental Affidavit of Todd B. Hilsee on Debtors' Bar Date Notice Proposal and Alternate Notice Plan (Docket No. 1794)
  - (iii) Debtors' Motion to Strike Supplemental Affidavit of Todd B. Hilsee on Debtors' Bar Date Notice Proposal and Alternative Notice Plan (Docket No. 1819)
- d. Objection of the Zonolite Attic Insulation Claimants to Debtors' Proposed Zonolite Attic Insulation Proof of Claim Forms (Docket No. 1781)
- e. Debtors' Reply to Objections to Property Damage Proof of Claim Form and Related Matters (Docket No. 1816)
- f. Debtors' Reply to Objections to ZAI Claim Form (Docket No. 1817)
- g. Revised [Proposed] Order as to all Non-Asbestos Claims, Asbestos Property Damage Claims, Zonolite Attic Insulation Claims and Medical Monitoring Claims: (I) Approving Case Management Schedule, (II) Establishing Bar Dates,



(III) Approving Proof of Claim Forms, and (IV) Approving Notice Program (Docket No. 1818)

- h. Debtors' Revised Proof of Claim Forms and Bar Date Notice Package (Docket Nos. 1926 and 1927)
- i. Revised [Proposed] Order as to all Non-Asbestos Claims, Asbestos Property Damage Claims, and Medical Monitoring Claims: (I) Establishing Bar Dates, (II) Approving Proof of Claim Forms, and (III) Approving Notice Program (Docket No. 1925)
- j. Debtors' Letter Regarding ZAI Test Group for Purposes of Daubert Trials (Docket No. 1920)

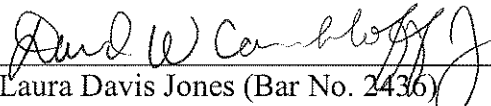
**Status:** The Debtors anticipate that items "h" and "i" above will be agreed to by the various committees in these cases and that the matter will be uncontested.

Dated: April 18, 2002

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